

SENATE CHAMBER,
AUSTIN, Texas, June 6, 1870.

Senate met pursuant to adjournment; President Don Campbell presiding. Roll called; quorum present. Prayer by the Chaplain. Journal of Saturday read and approved.

REPORTS FROM STANDING COMMITTEES.

Report of Committee on Roads, Bridges and Ferries :

COMMITTEE ROOM,
June 6, 1870.

To the Hon. DON CAMPBELL,

President of State Senate :

SIR : Your Committee on Roads, Bridges and Ferries have given Senate Bill No. 172, entitled "An Act to incorporate the Bellville, Hempstead and Brazos Bridge Company," due consideration, and do hereby return the same, recommending its passage.

FLANAGAN,
for Committee.

Laid over under the rules.

Reports of Finance Committee :

COMMITTEE ROOM,
June 6, 1870.

To Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Finance Committee, to whom was referred Senate Bill No. 144, entitled "An Act making an appropriation for the Treasury Department," have had the same under consideration, and report the bill back to the Senate with a recommendation that it do pass.

JOHN S. MILLS,
Chairman Financial Committee.

Laid over under the rules.

COMMITTEE ROOM,
June 6, 1870.

To the Hon. DON CAMPBELL,

President of the Senate :

Your committee, to whom was referred the petition of R. S. Brame, Assessor and Collector of Lamar county, for relief, respectfully report that they have examined all the evidence in the case, and find that said Brame had collected State tax to the amount of one thousand seven hundred and seven dollars and ninety-two cents,

and county tax amounting to six hundred and thirty-two dollars and forty-two cents, and that said money was all deposited in the safe of Wright & Gibbons, in Paris, Lamar county; that on the night of December 25, 1866, said safe was burglariously broken open and all of said money stolen, together with four thousand dollars of private funds; that Brame had no other safe depository for the public money, and it was owing to no fault or negligence on his part the loss occurred; and, furthermore, the annexed order shows a release by the County Court of all indebtedness to the county for the loss of county tax so therein deposited; therefore, your committee report the following joint resolution, and recommend that it do pass:

**JOINT RESOLUTION FOR THE RELIEF OF
R. S. BRAME.**

WHEREAS, R. S. Brame, an Assessor and Collector of Lamar county, had, in the year 1866, collected the sum of one thousand seven hundred and seven dollars and fifty cents, State tax, and the same was lost, without the fault or neglect of said Assessor and Collector, from its having been stolen from the safe of Wright & Gibbons, of Lamar county, Texas; therefore,

Resolved, That the said sum of seventeen hundred and seven dollars and fifty cents be remitted to the said R. S. Brame by the Comptroller in the settlement of his accounts, and that principal and sureties be and they are hereby released from all responsibility on their bonds.

J. S. MILLS,
Chairman Finance Committee.

Laid over under the rules.

COMMITTEE ROOM,
Austin, June 6, 1870.

To the HON. DON CAMPBELL,
President State Senate:

Your Finance Committee, to whom was referred Senate bill No. 143, entitled "An Act to release to the county of Anderson the State tax for the years 1870 and 1871, for certain purposes," beg leave to report that the applications have already become so frequent as to be annoying, and never ought to have been entertained with favor, for the reason that one county has no right to the clemency of a legislative body that should not be accorded to all, and there can be nothing to commend such a measure to the Legislature other than some extraordinary Providential visitation rendering the citizens of the county unable to pay. Your committee would respectfully report a recommendation that the bill do

not pass, and that your committee be discharged from the further consideration of the subject.

JOHN S. MILLS,
Chairman of Finance Committee.

Laid over under the rules.

Report of Committee on Counties and County Boundaries :

COMMITTEE ROOM,
Austin, June 6, 1870.

Hon. DONALD CAMPBELL,

President State Senate:

SIR: Your Committee on Counties and County Boundaries have given Senate Bill No. 161, entitled "An Act to create and provide for the organization of the county of Rains," due consideration, and do hereby return the same, recommending its passage.

J. G. BELL,
Chairman of Committee.

Rules suspended.

Report adopted, and on motion of Senator Cole, the rules were suspended and bill passed to its third reading. Read third time.

Yeas and nays were taken on final passage:

Yeas—Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon—26.

Nays—Parsons—1.

Absent—Latimer.

Bill passed.

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

COMMITTEE ROOM,
Austin, June 6, 1870.

To the Hon. DON CAMPBELL,

President State Senate:

Your Committee on Contingent Expenses having under consideration the matter of the different officers of your honorable body and the salaries thereof, herewith submit their report of the schedule of prices upon which they have agreed for the different grades, to-wit:

Secretary of Senate.....	\$8 00 per day
First and Second Assistant Secretaries	8 00 " "
Engrossing Clerk.....	8 00 " "
Enrolling Clerk.....	8 00 " "
Journal Clerk	8 00 " "

Calender Clerk.....	8 00	per day
Committee Clerks	5 00	" "
Sergeant-at-Arms	8 00	" "
Assistant Sergeant-at-Arms	8 00	" "
Door Keeper	8 00	" "
Assistant Door Keeper	8 00	" "
Porters of Senate....	6 00	" "
Committee Porters.....	4 00	" "
Messengers.....	4 00	" "

Respectfully,

J. S. MILLS, Chairman,
G. T. RUBY,
E. B. PICKETT,
SHANNON,
PRIEST,

Members of Committee on Contingent Expenses.

On motion of Senator Flanagan, the rules were suspended, and on motion of Senator Ruby, the report of the committee was adopted.

COMMITTEE ROOM,
Austin, June 6, 1870.

Hon. DON CAMPBELL,

President of the Senate :

Resolved, That the Secretary of the Senate be instructed to draw his warrants on the State Treasury in favor Baker & Raymond for \$90 68; Sampson & Henricks, \$521 93; J. W. Hannig, \$832 16; A. Prince, \$10, being the amount of their respective bills for purchases made by your Committee on Contingent Expenses, for the use and benefit of your honorable body and committees of the same, as set forth in accompanying bills.

Respectfully,

J. S. MILLS,
Chairman.

PRIEST, }
PICKETT, } Members
RUBY, } Committee.
SHANNON, }

On motion of Senator Mills, rules were suspended and report adopted.

Report of Committee on Private Land Claims :

COMMITTEE ROOM,
AUSTIN, June 6, 1870.

Hon. DON CAMPBELL,

President of the Senate :

Your Committee on Private Land Claims, to whom was re-

ferred the petition of George W. Wright, have had the same under consideration, and I am instructed by the majority to report the same back to the Senate and recommend that the Legislature do not grant the relief prayed for.

Very respectfully,

B. J. PRIDGEN,
Chairman.

Laid over under the rules.

Report of Committee on Engrossed Bills:

COMMITTEE ROOM,
Austin, June 6, 1870.

HON. DON CAMPBELL,

President of the Senate:

Your Committee on Engrossed Bills having carefully examined and compared Senate bill No. 3, "An Act authorizing Thomas M. Harwood, W. G. Belding and Charles Mason, of Gonzales county, to construct and build a bridge across the Guadalupe river, near the town of Gonzales;" also Senate bill No. 5, "An Act authorizing F. A. Vaughan, William Safford and George P. Smith, of Guadalupe county, to construct and build a bridge across the Guadalupe river, near the town of Seguin;" also Senate bill No. 14, "An Act to incorporate the Jefferson, Marshall and Big Cypress Bayou Bridge Company," and Senate bill No. 69, "An Act to incorporate the Kaufman County Bridge Company," find the same correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

BILLS AND RESOLUTIONS.

Senator Priest offered the following resolution:

RESOLUTION MAKING MATTERS OF GENERAL INTEREST THE SPECIAL ORDER FOR THURSDAY NEXT AT 11 O'CLOCK, AND FROM DAY TO DAY.

WHEREAS, The Constitution imposes, as a special duty, upon the Governor to take care that the laws be faithfully executed, and imposes on the Legislature, by implication, at least, the duty of conferring on the Governor sufficient power to put down and control all lawless combinations too powerful to be controlled by the civil authorities;

And whereas, It is well known that some portions of the State

are now pretty much without protection by civil courts, and murders and other outrages are being committed, the weak and defenseless falling victims to the violent and the lawless, and this Senate feeling it to be a paramount duty to preserve the lives of our constituents, and to act with this view without delay by giving all necessary power to the Governor to keep the peace and bring lawless bands to grief, and to organize civil government, that our courts may perform their functions and the rights of our citizens may be preserved;

And whereas, Over a month has elapsed and nothing having been yet done to the furtherance of the foregoing objects,

Resolved, That on Thursday next at 11 o'clock we will proceed to those great measures of general interest, and from day to day, at the hour aforesaid, to the exclusion of other business, until action is had on those great measures in the following order: first, the bill organizing the militia; second, the bills to re-organize our judicial districts and to fix the time of holding courts; third, to regulate proceedings in relation to estates; fourth, the duties and fees of officers; fifth, other business necessary to a complete organization of civil government.

Senator Pickett moved to lay the resolution upon the table.

Yeas and nays called for. Result as follows:

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohcney, Douglas, Evans, Pickett, Pyle, Shannon—11.

Nays—Baker, Bell, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor—16.

Motion to lay on the table lost.

Laid over under the rules.

The hour having arrived for the special order, Senate bill No. 55, a bill entitled "An Act to organize and define the powers of the Criminal District Court in and for the counties of Galveston and Harris, and prescribe the duties thereof."

On motion of Senator Ruby, the bill was recommitted to Committee on Judiciary.

GENERAL FILE.

Senate Bill No. 72. An Act granting the right to John W. King to establish and operate a ferry at King's Crossing, on the Sabine River.

Read second time and passed to engrossment.

Senate Bill No. 101, for the relief of J. H. Hollinquest.

Read second time and passed to engrossment.

On motion of Senator Ruby, the rules were suspended and the bill passed to its third reading.

Yeas and nays taken on final passage.

Result as follows :

Yeas—Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Fountain, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—25.

Absent—Senators Gaines, Latimer, Saylor.

Bill passed.

Senator Mills moved the suspension of the rules to take up Senate Bill No. 74, An Act to appropriate \$15,000 to pay contingent expenses of the twelfth Legislature.

Rules suspended.

Senator Fountain moved the Senate concur in House amendments. Carried.

On motion of Senator Pettit, the rules were suspended to take up Senate Bill No. 26, and it was made the special order for Thursday at 10½ A. M.

The hour having arrived for the consideration of special order, Senate Bill No. 155, "An Act to provide for districting the State of Texas into judicial districts."

The question recurring upon the adoption of the amendment offered by Senator Bowers, to strike out in line two (2), section 1, thirty-four and insert twenty-four.

[Senator Flanagan in the chair.]

Senator Priest moved to lay the amendment of Senator Bowers upon the table.

Senator Bowers moved a call of the House. Call sustained.

On motion of Senator Ruby, call suspended.

Senator Priest asked leave to withdraw his motion to table the amendment. Leave granted.

Senator Bowers called for a division of the question.

Yeas and nays called for in striking out thirty-four, in line two, section 1.

Result as follows:

Yeas—Alford, Bowers, Broughton, Cole, Douglas, Evans, Pyle, Shannon—8.

Nays—Baker, Bell, Dohoney, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor—17.

Motion to strike out 34 in line 2, section 1, lost.

Senator Bell offered a substitute for the bill.

Senator Bowers moved a rejection of the substitute.

Yeas and nays called for, result as follows:

Yeas—Alford, Bowers, Broughton, Cole, Dohoney, Evans, Flanagan, Pettit, Pickett, Pridgen, Pyle, Shannon—12.

Nays—President, Baker, Bell, Douglas, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Priest, Rawson, Ruby, Saylor—15.

Lost.

Senator Bowers moved a call of the House. Call sustained.

Absent—Senator Clark ; Senator Latimer excused.

Pending call, Senator Campbell moved to adjourn. Carried.